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Speech

OF

HON. R. McCLELLAND, OF MICHIGAN,

1817 - 1880
DELIVERED

IN THE HOUSE OF REPRESENTATIVES, THURSDAY, FEBRUARY 26, 1846.

On the bill making appropriations for certain Harbors and Rivers.

Mr. McCLELLAND addressed the committee as follows:

Mr. CHAIRMAN: I was astonished yesterday to hear some of the remarks which fell from the gentleman from Alabama, [Mr. PAYNE,] in relation to this bill. That I may not incorrectly state the language of which I understood the gentleman to make use, I will read an extract from the report of his speech as it appeared in last evening's Union. If there is any inaccuracy in it, I hope the gentleman will correct it, in order to avoid misapprehension.

In this sketch, the gentleman says: "One of his colleagues [Mr. McCONNELL] had yesterday characterized this bill in very strong terms, and had condemned it very earnestly. He thought that character and that condemnation were just. Look at this bill in all its aspects, examine it in all its details, and he thought such a bill had never before been presented to an American Congress."

I regret that a member so distinguished on this floor should be so much mistaken as to the action of the last Congress on similar subjects. Had he examined this bill critically, and compared it with the omnibus bill of the last session, he would have discovered that it is almost item for item the same. The committee then reported two separate bills, which did not contain the Louisville and Portland canal appropriation; but it was afterwards inserted and several times acted on; and finally, when both bills were combined and other additions made, this item was stricken out in the House on my motion. He would have ascertained also that other points of much magnitude were ingrafted upon the two bills combined, which, separate and apart from the appropriation for the Louisville and Portland canal, increased the aggregate amount to some two millions three or four hundred thousand dollars—being at least \$1,000,000 more than is appropriated by

this bill, excepting that item. In the bill of last session, the gentleman may remember, was an appropriation of \$100,000 for the construction of a canal round the falls of St. Mary, and one of \$225,000 for the continuation of the Cumberland road. Thus the sums were increased, the points multiplied, and the objects of the bill were very different in character, and perhaps far more objectionable. How, then, sir, could the gentleman assert that this was the most extraordinary bill that has ever been presented to an American Congress?

Mr. PAYNE rose to put a question; and, Mr. McC. yielding the floor, Mr. P. said he desired very respectfully to inquire of the gentleman whether, in any appropriation bill that had ever been submitted to Congress, there could be found a proposition to involve the Government in the expenditure of any amount, no matter how great, without limitation or restriction of any kind?

Mr. McCLELLAND continued. I will inform the gentleman again of the fact, that at the last session a provision was ingrafted on the river and harbor bill making an appropriation for the purchase of this canal stock; and other items were added which are not contained in the bill under discussion; increasing the whole amount far beyond that which this bill can, by any possibility, draw from the treasury.

Mr. PAYNE: My inquiry is, whether any appropriation, not specific, as in this bill, was ever made? Here is an item of appropriation to an amount not mentioned—the phraseology of the item being "such sum as may be necessary." Now, what I desire to know in regard to previous appropriations is this, whether the amount that shall be appropriated has not been designated?

Mr. McCLELLAND. I will answer the gentleman in this way: nothing is more common in our legislation than to make appropriations in this form, and to submit them to the discretion of the heads of the different departments. At this session, on

reports made by the Committee of Claims and other committees, we have passed bills making appropriations not defined as to amount, but have authorized the proper officers to pay what they might deem equitable and proper; and in all cases where definite appropriations cannot be made, it is usual thus to refer the matter for adjustment. But if the gentleman will closely scrutinize the provision of the bill to which he objects, he will find that it is not so indefinite as he supposes. It leaves the purchase to the discretion of the President of the United States; and although I have the greatest confidence in his judgment and discretion, yet upon this, and other grounds, I myself am opposed to this part of the bill, and I may take this occasion to say that I voted against it in committee.

Mr. Chairman, it strikes me as proper here, considering the attacks that have been made on the Committee on Commerce in relation to this bill, that I should enter into some explanations of their conduct. I know it is not in accordance with parliamentary usage, but the circumstances of the case will, I hope, justify it. The gentleman from Alabama, [Mr. PAYNE,] calls it a sectional bill, and has remarked upon its structure and the various items, to prove the fact. The question may with propriety be asked, why have not larger appropriations been made for the seaboard south of Mason and Dixon's line, and it is very easily and satisfactorily answered. No appropriations were asked for, excepting those embraced in the bill, saving one. The members from the southern States have brought no facts before the committee which could induce them to recommend appropriations. Everything that has been presented for that section by the proper bureau has been favorably acted upon. One point was brought before the committee, which was most carefully investigated, and the report of the War Department thoroughly examined, and the application was rejected on account of the cost of construction being estimated at \$2,000,000, and the engineer doubting whether, with this vast expenditure, and the work completed, it would prove available or be permanent.

Mr. CLARKE: Does the gentleman refer to Nag's Head?

Mr. McCLELLAND. Yes, sir. There is a difference of opinion in regard to the feasibility and cost of construction of this work between the Government and State engineers; and I was, and still am, in favor of an impartial resurvey, to obviate all doubt upon the question. This I should have recommended but for the absence of the gentleman who represents the district most interested in this improvement, not knowing whether this course would be acceptable to him.

For the information of the gentleman from Tennessee, [Mr. CROZIER,] who appears to think I have been too much devoted to the interests of my own State, I will state that there has been no proposition before the committee which has not received a careful examination. We have, for the very purpose of satisfying the different sections of the Union, and the members who represent them, gone further in our investigations than the Committee on Commerce has for several years past. On application of members, they have been permitted to come before the committee and give their views at length; and in all cases, I believe, we have acted

with great deliberation and impartiality. In this declaration I shall be fully sustained by my friend from South Carolina, [Mr. SIMPSON,] now in my eye, who is a member of the committee, and most intimately acquainted with its action on all these subjects. I confidently refer to him for the strict accuracy of all I have said. Of river improvements I do not speak. They were referred to my friend from Kentucky, [Mr. TIBBATS,] who can make all needful explanations, and can justify his course better than I can do it for him.

It may here also be proper to say that all the proposals for harbor improvements were referred to a sub-committee composed of the gentleman from Massachusetts, [Mr. GRINNELL,] the gentleman from South Carolina, [Mr. SIMPSON,] and myself; that there was no difference of opinion in relation to appropriations reported on; that we all agreed as to their importance, utility, and propriety, though the gentleman from South Carolina differs with us perhaps as to the principle of the bill.

I will now proceed to discuss the propriety of the appropriations contained in the bill for harbor improvements. The other branch of the subject I must, from the brevity of my time, leave to those more deeply interested in river improvements.

It appears to me that many members of this House, and the people of many portions of the Union, are ignorant of the extent of the commercial marine, the commerce of the lakes, and of the rapid progress made therein within the last ten or fifteen years. I had hoped to have been able to trace this from its origin to the present period, but I am unable to give more than a mere skeleton of it. The person who has recently traversed these lakes without a knowledge of the history of their commerce, will be surprised to learn that in 1819 there was but one steamboat that sailed Lake Erie, and at the same time hardly an accessible or good harbor; and that, in the year 1827, a solitary steamer entered for the first time Lake Michigan, without a single harbor in which to anchor in fair or foul weather. But now, from the fostering care of the General Government, the activity, energy, and enterprise of our hardy seamen, and those interested in the navigation of these "inland oceans," their commerce and marine have increased to an enormous extent. I have some statistics which may be interesting to all, but more particularly to those who are not very conversant with this part of the great West. Although I have, with the most unwearied pains, endeavored to procure information as to all the lakes, yet my sources have enabled me to obtain accurate and connected accounts and estimates only from lakes Erie and Michigan, to which I must necessarily direct my attention. There are at this time on these two lakes, 60 steamers of 21,500 tons burden, valued at \$1,500,000; 20 propellers of 6,000 tons burden, valued at \$350,000; 50 brigs of 11,000 tons burden; and 270 schooners of 42,000 tons burden. These two last form an aggregate value of \$2,200,000. Total number of vessels 400; tonnage 80,000; total value \$4,050,000. There are also on the stocks, in progress of construction, ten large steamers, twelve propellers, twelve sail vessels; amounting in all to thirty-four, and every one of the largest class. The accession to the commercial marine of lakes Erie and Michigan during the last season was sixty vessels, with an aggregate tonnage of thirteen thou-

sand tons, and an outlay of \$825,000; for the last five seasons the amount expended above the falls of Niagara in building, enlarging, and remodelling vessels, is estimated at \$2,500,000; and the number of vessels built during the same period was one hundred and eighty.

This exhibits the magnitude of that commercial marine. Notwithstanding you have been exceedingly parsimonious in your expenditures in sustaining and protecting it, yet it has overcome all obstacles, and increased far beyond the expectations of its most sanguine friends. From the statements I have received from the other lakes, I have every reason to believe that the augmentation of this branch has been very great there; and though the number of vessels is less, yet the commerce is growing, and the foreign trade is greater than on lakes Erie and Michigan. After examining these facts, and becoming acquainted with the vast interests at stake, will any one wonder why we take such an interest in harbor improvements, and why we so tenaciously cling to the system, and advocate these appropriations?

But I will for a moment call the attention of the committee to another point of vastly more importance than all other facts relating to this subject: it is the loss of vessels and the sacrifice of life which are incident to this commerce. This is a theme which might elicit the most glowing eloquence and effective declamation; but I shall confine myself to the facts, merely premising that these losses and sacrifices are annual, and not at distant periods of time. The vessels lost on the two lakes, during the year 1845, were one steamer and twenty-three sail vessels; and thirty-six vessels were beached, and got off with partial damage. The value of the property, vessels, and cargoes, lost and damaged, has been estimated at \$190,000. Within the same year there were between sixty and seventy lives lost. This statement is made by a lieutenant in the navy, in whose veracity every one who knows him places the most implicit confidence; and from other sources I know it to be correct. Now, sir, what appeal could be stronger to American statesmen? What argument in favor of this bill more impregnable? Are the lives and property of your citizens worthy of your protection?—and are you justifiable in refusing the small pittance asked, on the ground that it is establishing a system that may be abused? It is better that millions should be wasted—if you please to so denominate it—than that the frightful scenes constantly witnessed there should occur.

In this connexion, let us examine how many lives are annually exposed to the dangers of these lakes. I hold in my hand an estimate made by a gentleman who is more conversant with the commerce, and everything connected with them, than any man who lives on, or has anything to do with them. He has made his statement from books, so that he cannot be mistaken. He says that the number of persons going in the year 1845 from Buffalo and intermediate places to Chicago, was ninety-eight thousand seven hundred and thirty-six. That to this large number of *up* passengers, must be added all coming from the West, and multitudes passing in the various small boats, from port to port, of which we have no account, and the number in vessels of which it is impossible to know, and it will make another amount equal to the number given, as hav-

ing been taken in steamboats *up*; thus showing that about two hundred thousand persons, independent of the crews of the vessels and steamboats, annually cross these waters.

These passengers come from all quarters of the Union, and are not confined to those who are directly and immediately interested in our commerce; and in throwing over them the mantle of your protection you are probably conferring an inestimable benefit upon many of your own constituents. Every one of you is interested in it, and it behooves all to look to it, and to calmly reflect upon the consequence of a vote before it is given.

It is impossible for me, during the short space of an hour, to examine and point out the propriety of each separate appropriation. With very few exceptions, they have been recommended by the War Department, and examined carefully by competent engineers, and in some cases by boards of experienced officers. The War Department has legitimately the charge of such matters, and its report shows the attention it has bestowed upon them. Upon a careful investigation, we find the views of those conversant with the different points agreeing precisely with those of the department. The course pursued is, therefore, doubly safe.

Let gentlemen consider how many States are interested in this commerce, let them reflect on its progress and prosperity under all the disadvantages now and heretofore existing, and they will no longer doubt the policy of such appropriations. Some ten or twelve States are now deeply, and sometimes profitably engaged in it, and from seven to eight millions of people are benefited by it. And what objects can, then, partake more of a national character, and what can interest more the entire Union? Until recently there were none other engaged in the commerce of these lakes than those contiguous to and bordering on them; but, since the opening of the canal from Cincinnati, intersecting the Wabash and Erie canal, and that from Pittsburg to Erie, the whole face of things on these great waters has changed. And when the different links of communication now forming between Lake Erie and the Ohio river, and Lake Michigan and the Mississippi river are completed and perfected, (and that time is not far distant,) all the different sections of the Union will be so connected and cemented together, that it will be impossible to touch one link without affecting the whole chain.

But, Mr. Chairman, constitutional objections are again interposed to the passage of this bill, and the same arguments, newly vamped, are used, as were urged in the discussion of 1844. And what did a majority of the members say in reply then? They said, in tones not to be misunderstood, that these objections were not tenable; that they could not be sustained; that if the principles and opinions of the gentleman from South Carolina [Mr. RHETT] were adopted, the Government could not be carried on a day; that if the members put on the straitlaced machine that gentlemen wished to impose on them, they would not be able to go one step from the Capitol without infringing some provision of the Constitution. Will the gentleman from South Carolina say that Jefferson, Madison, Monroe, and other distinguished leaders of our party, were opposed to improvements of this kind? Do I understand the gentleman to assume that position in relation to lake or other harbors?

Mr. RHETT not replying,

Mr. McC. continued. From the gentleman's silence I must presume he does. Sir, does the gentleman know that the Congress of 1789 passed an act which sustains every appropriation in this bill, so far as concerns harbors? That act goes all the length that I could desire to sustain the constitutionality of such appropriation.*

I hope gentlemen will examine this act critically, and I think I cannot be mistaken in the effect it must produce. It will be recollected that it was passed immediately after the formation of the Constitution, and that many of its framers were in the Congress that passed it. As I discussed this question in 1844 upon a similar bill, and in reply to the gentleman from South Carolina, I beg leave to read some extracts from the speech I then delivered:

"The very object of the appropriations for the lakes is the building and repairing piers where they are imperatively demanded for the protection of our shipping. Even the distinction which we make between works of a national and local character, and between those necessary for the defence of the country and those which are not, is nowhere to be found in this act, which is, in all its provisions, general and unqualified. Mr. Jefferson, whose opinions are entitled to our most profound respect, went much farther than any part of this bill, by fair construction, would carry us. He signed bills making large appropriations for the construction of the Cumberland road, and recommended a survey and reconnoissance of a great national road from Washington city to New Or-

* The following is the act referred to:

AN ACT for the establishment and support of light-houses, beacons, buoys, and public piers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all expenses which shall accrue from and after the 15th day of August, 1789, in the necessary support, maintenance, and repairs, of all light-houses, beacons, buoys, and public piers, erected, placed, or sunk, before the passing of this act, at the entrance of, or within, any bay, inlet, harbor, or port of the United States, for rendering the navigation thereof easy and safe, shall be defrayed out of the treasury of the United States: *Provided nevertheless,* That none of the said expenses shall continue to be so defrayed by the United States, after the expiration of one year from the day aforesaid, unless such light-houses, beacons, buoys, and public piers, shall in the meantime be ceded to, and vested in the United States, by the State or States respectively in which the same may be, together with the lands and tenements thereunto belonging, and together with the jurisdiction of the same.

SEC. 2. *And be it further enacted,* That a light-house shall be erected near the entrance of the Chesapeake bay, at such place, when ceded to the United States in manner aforesaid, as the President of the United States shall direct.

SEC. 3. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to provide by contracts, which shall be approved by the President of the United States, for building a light-house near the entrance of the Chesapeake bay, and for rebuilding, when necessary, and keeping in good repair, the light-houses, beacons, buoys, and public piers, in the several States, and for furnishing the same with all necessary supplies; and also, to agree for the salary, wages, or hire, of the person or persons appointed by the President for the superintendence and care of the same.

SEC. 4. *And be it further enacted,* That all pilots in the bays, inlets, rivers, harbors, and ports of the United States, shall continue to be regulated in conformity with the existing laws of the States respectively, wherein such pilots may be, or with such laws as the States may respectively hereafter enact for the purpose, until further legislative provision shall be made by Congress.

APPROVED, August 7, 1789.

leans, with a view, undoubtedly, to its ultimate construction. In 1811, Mr. Madison went equally far. At the instance of the commissioners appointed by the State of New York, he communicated to Congress copies of an act of the Legislature of that State, relating to a canal from the northern lakes to the river Hudson. In this Message, he uses this strong and forcible language:

"The utility of canal navigation is universally admitted. It is not less certain that scarcely any country offers more extensive opportunities for that branch of improvements than the United States, and none, perhaps, inducements equally persuasive to make the most of them. The particular undertaking contemplated by the State of New York, which marks an honorable spirit of enterprise, and comprises objects of national as well as more limited importance, will recall the attention of Congress to the signal advantages to be derived to the United States from a general system of internal communication and conveyance, and suggests to their consideration whatever steps may be proper on their part towards its introduction and accomplishment. As some of those advantages have an intimate connexion with arrangements and exertions for the general security, it is at a period calling for these that the merits of such a system will be seen in the strongest lights."

"He does not question the constitutionality, expediency, or propriety of the measure; but, on the contrary, gives it his cordial and unqualified approval, and far outruns the friends of the present bill. It is due to the memory of that illustrious statesman to state that afterwards, when recurring to the subject of "roads and canals," in his seventh Annual Message, he says, 'that any defect of constitutional authority which may be encountered, can be supplied in a mode which the Constitution itself has providently pointed out.' But this does not imply that he, but that others, may have entertained doubts about the power. It will be remarked, moreover, that his observations are confined exclusively to 'roads and canals,' and cannot be so construed as to embrace harbors or harbor improvements.

"Mr. Monroe, in his Inaugural Address in 1817 recommends the improvement of our country by roads and canals, proceeding always with a constitutional sanction. He doubts not the general power, but seems disposed to guard against its improper application. The language he uses evinces his strong attachment to this class of improvements:

"By thus facilitating the intercourse between the States, we shall add much to the convenience and comfort of our fellow-citizens, much to the ornament of the country; and, what is of greater importance, we shall shorten distances, and by making each part more accessible to, and dependent on, the other, we shall bind the Union more closely together. Nature has done so much for us by intersecting the country with so many great rivers, bays, and lakes, approaching from distant points so near to each other, that the inducement to complete the work seems to be peculiarly strong. A more interesting spectacle was perhaps never seen than is exhibited within the limits of the United States—a territory so vast and so advantageously situated, containing objects so grand,

'so useful, so happily connected in all their parts.'

"His views in regard to roads and canals afterwards underwent a change; and, in his Message of 1817, he doubts their constitutionality, and proposes an amendment of the Constitution. But in 1823 he brought to the consideration of Congress the connexion of the Atlantic ocean and the Ohio river, and urged that it possessed the right to appropriate money for such a national object, the jurisdiction remaining in the States through which the canal might pass; and during his Administration several acts were passed for the improvement of the Mississippi and the Ohio, of the harbor of Presque Isle, on Lake Erie, and the repair of the Plymouth beach. During the two terms of President Jackson, appropriations similar in character to those now under consideration, and, with but few exceptions, for the same purposes, were annually made. His vetoes do not comprehend any of the points embraced by this bill; nor do any of the principles contained in them apply fairly. He was always favorable to such works, and gave his sanction to many bills comprising the very same points now designated. In reference to this kind of improvements he uses this pointed and emphatic language:

"The practice of defraying out of the treasury of the United States the expenses incurred by the establishment and support of light-houses, beacons, buoys, and public piers within the bays, inlets, harbors, and ports within the United States, to render the navigation thereof safe and easy, is coeval with the adoption of the Constitution, and has been continued without interruption or dispute. As our foreign commerce increased, and was extended into the interior of the country, by the establishment of ports of entry and delivery upon our navigable rivers, the sphere of those expenditures received a corresponding enlargement. Light-houses, beacons, buoys, public piers, and the removal of sand-bars, sawyers, and other temporary impediments in the navigable rivers and harbors, which were embraced in the revenue districts from time to time established by law, were authorized upon the same principle, and the expense defrayed in the same manner."

"In his Message of 1834 he goes decidedly for the improvement of harbors, upon our great lakes as well as on the seaboard, and for the removal of partial and temporary obstructions in navigable rivers, for the convenience and safety of commerce. This is the Message in which he undertakes to prescribe a limitation for the government of his own conduct, confining the expenditures below the ports of entry or delivery established by law. But he expresses his own conviction that 'this restriction is not as satisfactory as could be desired, and that much embarrassment may be caused to the Executive department in its execution, by appropriations for remote and not well-understood objects.' It is not pretended that this limitation is sanctioned by the Constitution, nor has it been advocated by any of the opponents of this bill, but has been entirely abandoned. It is so susceptible of evasion, that it requires no argument to show its absurdity. All that is necessary to avoid it is the establishment, in the first place, of a port of entry or delivery above the point to be improved,

and then apply for the means to make the contemplated improvement. The charge has been frequently made against Mr. Van Buren that he is unfriendly to such improvements, and constitutionally opposed to them. But this is entirely without foundation. His whole course of public life vindicates him from it, and most clearly and satisfactorily proves the contrary. In his famous letter to Mr. Sherrod Williams, August 8, 1836, he fully and unqualifiedly concurs in General Jackson's views, and after recapitulating that portion of his Message of 1834, says:

"President Jackson has nowhere given us his views as to the particular provisions of the Federal Constitution, by which he conceives expenditures of this character to be authorized. Upon referring to the early proceedings of the Government, we find that General Hamilton, while Secretary of the Treasury, contended that they were warranted by the authority given to Congress to regulate commerce. Mr. Jefferson, on the other hand, whilst he deprecated their liability to extravagance and abuse, assumed that they could be justified under the power to maintain a navy. President Jackson has left the question of constitutionality in the state in which it was left by his predecessors. No one, I believe, contends that the President ought, so far as it depends upon him, to have arrested all appropriations of this character; nor could it, with any show of propriety, be insisted that he should have given his consent to the extension of them to objects of a character altogether different from those which have been promoted by grants from the Federal treasury, since the commencement of the Federal Government."

"That this was the rule which governed his conduct, is manifested by his giving the executive sanction to the omnibus bills which were passed in 1837 and 1838; and he never refused his approval to any measure of the kind which was adopted by Congress. The appropriations ceased in 1839, owing to the extravagant and wild extension of the system, and the crippled state of the treasury, and not from any indisposition on the part of Mr. Van Buren to sign and approve any bills that Congress in its wisdom might pass. Mr. Cambreleng, in his report of 1839, to which period is usually dated back the abandonment of these works, does not question the constitutionality of the measure, but censures, as he truly might, the profligacy and extravagance of the expenditures, and opposes further appropriations, because the then unexpended balance of appropriations, which had before been made, amounted to \$977,748 92, besides other balances in the hands of disbursing officers. The amount called for at that session was \$1,713,000, exclusive of these balances. So that it appears the system was not given up until 1840, when the treasury was in a depressed condition, and there was no available means possessed by the Government to meet any appropriations that might have been made. From that period up to the present time, little has been appropriated to such purposes; but the system itself may be considered as suspended, and not entirely abandoned. Here, then, we have in our favor many of the most distinguished leaders of our party, and the practice of the Government from its organization. The framers of the Constitution gave to it their sanction, and

every President has not only conceded the right, but recommended the exercise of the power."

If the rigid construction of the gentleman from South Carolina be correct, where does he derive the power to construct this magnificent Capitol? Where the power to pass the bill which yesterday received the sanction of this House to present books to the Minister of Justice of France? To send an exploring expedition into the Pacific ocean?—to construct light-houses or marine hospitals?—or to support them when constructed? I might with propriety inquire of the gentleman how he would be able to administer the Government at all under the rules he prescribes. It would be impossible for him to enforce the laws we pass, if such a rigid construction is given to the Constitution.*

But, Mr. Chairman, I had hoped that when that voice which has heretofore had such a potent influence in the South had been heard through the medium of the Memphis convention, this constitutional objection would never again have been heard in this Hall. What other construction than one favorable to our views can be put upon the speech of the Senator to whom I allude? I can say to my friends from the South that he never yet made a speech which diffused more joy or created a more thrilling sensation in the minds of the western people than the one he made on that occasion. They came to the conclusion at once that our southern friends had become convinced that these appropriations were necessary, and that hereafter we would obtain for them their undivided support. I yet hope and believe that that distinguished man—distinguished not less for his talents than for his virtues—will demonstrate that the speech he made on that occasion was something more than a mere *ad captandum* effort.

Mr. Chairman, the bill which passed at the last session of Congress contained almost every item that is found in this; and if we pay no regard to the leading men in this House, let us look at the vote at the other end of the Capitol, and see how our distinguished leaders there voted. On its passage the following (showing a list of mingled Whigs and Democrats) is the affirmative vote:

Messrs. Allen, Ashley, Atchison, Barrow, Bayard, Benton, Buchanan, Choate, Crittenden, Dayton, Dickinson, Dix, Foster, Francis, Hannegan, Haywood, Johnson, Miller, Morehead, Phelps, Porter, Semple, Simmons, Sturgeon, Upham, White, and Woodbridge.

And what is the negative vote? Messrs. Ather-ton, Bagby, Berrien, Evans, Fairfield, Huger, Jarnagin, Lewis, McDuffie, Niles, and Woodbury.

* In this connexion Mr. McCLELLAND had intended, if time had permitted, to have called the attention of the committee to a paragraph contained in the letter of Mr. Donelson, our late Chargé d'Affaires to Texas, dated March 31, 1845, addressed to the Hon. E. Allen, the Attorney General of that republic. Mr. D. was at that time urging on Texas the expediency of adopting our resolutions and becoming an integral part of the Union. The paragraph is in the following words:

"It is objected that Texas in surrendering her revenue 'from customs, parts with the ability to put into efficient organization her State Government. This objection must result from an undue examination of the expenditures which the United States on the other hand will make in the many improvements necessary on the seacoast of Texas, to protect and facilitate her commerce, in the removal of obstructions in her numerous bays and rivers, and in the military organization necessary to guard her extensive frontier against the inroads of a foreign enemy."

So that with one or two exceptions, every northern Democrat voted for the bill, as did several southern men, all of whom, I presume, possess as much political intelligence and integrity as the members of this House. Their opinions certainly should have great weight with us, especially when we reflect that they merely endorse, and with all their experience sanction, the opinions on this subject of the first organizers of our Government and party.

But, Mr. Chairman, it strikes me that the provisions of the Constitution, on which we base such appropriations, are so simple and so plain, that we cannot misunderstand them. We rely for their support on both the provisions relating to the common defences of the country, and our foreign commerce and commerce between the States.

Of the one I have already spoken; and I now proceed to remark briefly on the other. Of this task I have been in part relieved by the remarks of my friend from Ohio, [Mr. BRINKERHOFF.] A commercial marine has been built on the lakes, which will obviate the necessity of appropriating a single dollar for constructing a navy there; and every one conversant with the subject prefers harbors to fortifications or Government defences. They believe that, in time of war, harbor improvements are vastly more important. If gentlemen will look into the report of the Secretary of War, they will find he urges the improvement of our harbors upon this ground. This view is not peculiar to the present Secretary, but has been sanctioned by former Secretaries, and is most fully approved of by the authorities on the other side of the lakes. Let me read from the report of the Board of Works to the Canadian Parliament, made in December, 1844, what one of the British naval commanders stated:

"Very little need be said as to the necessity of forming ports on this great extent of coast, exposed as it is to the boisterous sea, which rises with every breeze of wind that blows up or down, or towards the shore of the lake."

Remarking on this and other observations of the same officer, the Board say:

"This class of works is admitted by the naval commander to be indispensable to enable her Majesty's vessels to keep the lakes."

This shows the strong concurrence of opinion with all those who know anything of our wants, our necessities, and these great waters. But if harbors are not considered a part of the common defences of the country, why do we find them constantly creeping into our naval and military bills? Why did the gentleman from Massachusetts, [Mr. Parmenter,] not now a member, ingraft upon the naval bills an appropriation for the Boston harbor? Why was it struck out of that bill in the last Congress? On the ground that the other harbors were as well entitled to be incorporated in that bill, and not because of its want of military importance. The gentleman from North Carolina, [Mr. McKAY,] I believe, moved to strike it out on some such ground as this, and I sustained his motion. I believed then that he was right; I believe so still. How often has the Savannah river, by the same kind of legislation, been inserted in such bills? And can such provisions be defended, if the works are not part of our military defences? Of what use is a navy in time of war on the lakes, if you have no safe harbors to shelter them? Suppose the vessels are

shattered in a storm, or in battle, or are compelled to fly from the superior force of an enemy: of what value would good and safe places of refuge be to them?

Mr. RATHBUN here alluded to Perry's fleet at Erie.

Mr. McCLELLAND said the gentleman is correct; and as my remarks in 1844 have escaped the recollection of the members, they will excuse me for again relating the difficulties Commodore Perry had to encounter:

"For a considerable time, the British had the entire control of Lake Erie, and annoyed our citizens, ravaged the country, destroyed our property, and retarded the progress of the American arms. Captain Perry fitted up a fleet in the harbor of Erie, for the purpose of checking the enemy and recovering the command of the lake. The British fleet, under the command of Captain Barclay, was on the alert, and kept a constant watch on his movements. There was a bar some distance outside of the harbor, which prevented Captain Perry from getting out into the lake the brig *Lawrence*, one of his largest vessels; and it would have been exceedingly dangerous for the American fleet to have passed out in the face of the enemy, because this vessel could not sail over the bar with her guns on board, and the whole must necessarily be exposed, in the meantime, to the fire of the enemy. Most fortunately, Captain Barclay (as is said) accepted an invitation to dine on Sunday with a friend on the Canadian shore. While his vessels were under this coast, the lake became smooth, and the bar passable. Captain Perry seized the precious moment, and effected his purpose by towing the *Lawrence* to the point where the deepest water was known to be. Her guns were taken out and landed on the beach, and the brig, thus lightened, was, by the aid of scows and other appliances, lifted over the bar, and her guns hoisted in. In the interval, the enemy reappeared, but after reconnoitring for some time, departed; and in a few days after, Perry gained his splendid victory, and accomplished the object he had most at heart. The glorious consequences flowing from this event are so well known that they need not be narrated here."

Now, this harbor at Erie is one of the finest on Lake Erie, with a capacity equal to the accommodation of vessels of any size.

For the purpose of showing gentlemen, who are economical that they cannot vote for this bill on account of the amount appropriated by it, that it is no means unreasonable or extravagant, I will call their attention to the report of the Canadian board of works. Here we find that the British Government, for purposes of defence, and constructing harbors, and roads immediately adjoining to these harbors, and in canals to float and pass vessels from the St. Lawrence to the upper lakes, expended in ten months, from 1st September, 1843, the sum of £440,595 6s. 2d., or about \$950,000. Yet we scruple about expending \$100,000 for like purposes, and to prevent aggressive movements on the lake frontiers. Do gentlemen know how extensive that frontier is? Are they aware that about 5,000 miles of the coast belong to the United States, which must be defended in case of war? Do they know that these harbors,

unless improved, will not accommodate a navy of any size, and that the harbors on the Canadian shore are being made safer and more commodious every day? And knowing these facts, how can you withhold the aid of the General Government?

We have a right to protect the commerce of the country. It is our imperative duty to do so. We have the power to build a navy, and to send it into all the oceans and seas of the globe, to sustain, defend, and protect the lives and property of our citizens; and does this power cease with salt water, or is it bounded by the tides, so that it cannot extend to the lakes? But does it depend upon the manner or the method of defending and protecting these lives and this property, and must it be done by machinery of peculiar construction? Why cannot you as well, under these powers, construct harbors as build steam-ships, or batteries, or steamers to carry your mails? In truth, there is no difference. The power is sufficient for both purposes, and ought to be so exercised.

I wish to notice further some of the remarks of the gentleman from Alabama, [Mr. PAYNE.] I am one of the last men to endeavor to excite sectional feelings here or elsewhere. I think it should be the object of every member to suppress everything of the kind. I live in the Northwest, and I will most willingly vote for all appropriations for the benefit of the South or the East, if I believe them to be proper. Reference has been made to the fortification bill; and as the gentleman from Alabama has denounced the river and harbor bill as sectional, I would draw his attention to the other bill a moment. It appropriates \$540,500 for objects south of Mason and Dixon's line; \$296,000 for objects north of that line; and \$113,500 for the whole West. Did you hear any complaint uttered by a western man because it gave too much to the South or the East, and not enough to the West. No, sir; they urge no such objection to any of your bills. When this bill was under consideration, an amendment was offered by the gentleman from North Carolina, [Mr. MCKAY,] appropriating \$300,000 for armaments for these fortifications, and no western man objected, because we all believed it necessary and proper, and therefore voted for it without stopping to inquire whether any portion of it was for the West. You will find, on examination, that from the year 1840 to the present year, upwards of \$4,000,000 have been appropriated for fortifications, in which the West had no immediate interest, and yet you will not find, perhaps, a solitary western vote against it. Look at another bill reported by the Committee on Commerce for light-houses, and you will discover that it gives to the West and Northwest some \$50,000; to the East and Northeast some \$250,000; and to the Southeast about \$160,000; and I venture to predict that you will find but few of the western men who are in favor of harbors voting against any of the provisions of the bill. If gentlemen will now turn their attention to the naval bill, they will there find an appropriation of \$100,000 for the naval dépôt at Memphis, and an appropriation of \$109,000 for offices, houses, cisterns, saw-mills, &c., at Pensacola. Nothing is given to the West or Northwest by these bills; and would it not be considered very unjustifiable in our opposing them on account of their being sectional? I say to gentlemen from the South, we are opposed to exciting any such feel-

ings; and I had supposed that the demonstrations made in this House on the Oregon question would have been sufficiently instructive to have prevented their recurrence. I deprecated the feeling then, and so I do now; and I hope never to see western men giving way to it, or suffering it to rule or guide their action. Look not at the locality of an appropriation, but at its object and propriety.

Mr. Chairman, I have a word to say to some of our eastern friends who oppose this bill. The gentleman from Maine [Mr. HAMLIN] was pleased, when it was first reported, to style the Committee on Commerce the internal improvement committee, by way of reproach. I would ask him whether he so termed it when we were reporting bill after bill on petitions that had been referred to us by gentlemen from his section, as well as by himself, for the benefit of the fishing vessels of Maine and other eastern States? Will he be kind enough to point out any clause in the Constitution which, by strict construction, authorizes the granting by this Government of a fishing bounty, or the paying of these vessels, that does not justify us in asking for harbor appropriations? He will say, and with great propriety, that this is necessary to supply seamen in time of war for your navy; and we, with equal truth and force, use the same argument. But, sir, in order to show him how much beyond the maximum of expenditure for lake harbors (some \$2,500,000) his system has carried the Government, let me refer him to some statistics that I have on the subject, and he will be satisfied of our moderation. By a report made by the industrious and indefatigable Register of the Treasury, in answer to a resolution of Mr. Senator Benton, during the present session, we find that the amount paid for bounties on salted provisions and pickled fish, exported up to the 30th of June, 1845, was seven hundred and fifteen thousand nine hundred and ninety-one dollars ninety-eight and a quarter cents; for allowances to vessels employed in the fisheries, eight millions three hundred and sixty-eight thousand four hundred and thirty-eight dollars seventy-two cents; draw backs on domestic refined sugar exported, two millions six hundred and ninety-eight thousand four hundred and fifty dollars sixty-eight cents.

Sir, I admit that the object of most of these boun-

ties is of great importance to the nation, and that they are the means of maintaining and sustaining the navy, and preparing hardy veterans in time of peace for service in war. This nursery of seamen should in all probability be encouraged, and may in a great measure obviate the necessity of vast expenditures of money by our Government to accomplish the same thing. But all this applies as well to most of the items of this bill; and so far as this extends, the same principles operate in both cases. A distinguished officer of the navy made the tour of the lakes last season, and, if I am informed correctly, stated that he never met with more active, energetic, or better sailors; and that they would be to our Government invaluable in time of war. If a conflict ensues between Great Britain and us, or we are compelled to meet in deadly warfare any other nation of equal power, you will have to rely principally, to support your navy, on this very class of sailors. You will soon find that it will be immaterial to them in what section of the country they are engaged; all that they will then talk about will be the defence of the whole country. There will be no such line of demarcation drawn in their minds as Mason and Dixon's; and I believe that when the war closes, even the gentleman from South Carolina will be among the first to award them praise and do them justice.

Objection has been made to the works on Lake Michigan; and some invidious comparisons have been drawn. I am confident, Mr. Chairman, if gentlemen were acquainted with that lake, the dangers of its navigation, and the constant peril of life and property there, they would make larger instead of smaller appropriations for it. I know that the commerce of that lake, which is increasing constantly, requires all the protection you can give it.

Mr. McC. was here abruptly cut off in his remarks by the expiration of his hour.

[NOTE.—See estimates for most of the works contained in this bill in the report of the War Department, (President's Message and accompanying documents, page 385, Doc. No. 2,) and the annual estimates of the Secretary of the Treasury, (Doc. No. 9, page 104.) Both show that they constitute a part of the aggregate amount required by the General Government for the ensuing fiscal year.]